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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/075,336

**Applicant(s)**

BOYDSTUN ET AL.

**Examiner**

CRISTINA OWEN SHERR

**Art Unit**

3685

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 14 July 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) 1-15, 19-21 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 16-18, 22-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-8508)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. This Office Action is in response to Applicant's amendment filed July 14, 2008. Claims 1-24 are currently pending in this case. Claims 16-18 and 22-24 are under examination. Claims 16 and 22 are currently amended. Claims 1-15 and 19-21 have been withdrawn, pursuant to a requirement for restriction issued on June 12, 2008.

#### ***Continued Examination Under 37 CFR 1.114***

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on March 7, 2008 has been entered.

#### ***Election/Restrictions***

3. Applicant's election without traverse of claims 16-18 and 22-24 in the reply filed on July 14, 2008 is acknowledged.

#### ***Response to Arguments***

4. Applicant's arguments with respect to the claims, as currently amended have been considered but are moot in view of the new ground(s) of rejection.

#### ***Claim Rejections - 35 USC § 112***

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 16-18 and 22-24 are rejected under the second paragraph of 35 U.S.C., 112.
7. Claim 16 recites the limitation "the source user datastore" in line 4 of the claim. There is insufficient antecedent basis for this limitation in the claim.
8. Claim 16 recites the term "the corresponding identification" in line 11 of the claim. There is insufficient antecedent basis for this limitation in the claim.
9. Claim 16 recites the term "the password" in line 13 of the claim. There is insufficient antecedent basis for this limitation in the claim.
10. Claim 22 recites the limitation "the source user datastore" in line 4 of the claim. There is insufficient antecedent basis for this limitation in the claim.
11. Claim 22 recites the term "the corresponding identification" in line 10 of the claim. There is insufficient antecedent basis for this limitation in the claim.
12. For these reasons, independent claims 16 and 22 and their dependent claims 17-18 and 23-24 are rejected under the second paragraph of 35 U.S.C., 112.

***Claim Rejections - 35 USC § 103***

13. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

14. Claims 16 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sampson et al (US 6,429,624) in view of Blakley, III et al (US 5,832,211).

15. Regarding claims 16 and 22 –

16. Sampson discloses a method comprising migrating the source user datastore with the source user authenticator to the target datastore with the target user authenticator, wherein the target user datastore comprises user identification data, and wherein the target user authenticator is in communication with the source user authenticator; (e.g. (Registry Server 108 has an Authentication Server Module that manages concurrent access of multiple users or browsers 100 to Registry Repository; col. 7, lines 30-32 and Computer system 700 ... main memory ... dynamic storage device; col. 17, lines 1-15, Registry Repository; col. 6, lines 2-5) ,

intercepting, by an interceptor, a request to the source user authenticator from a user seeking access to information protected by the target user authenticator, (col. 10, lines 12-24);

17. Blakely unlike Sampson discloses promptings the user for an identification, receives the identification from the user, locates the corresponding identification in the target datastore, and determines whether the target datastore includes a password associated with the identification (col 7 ln 17-35); and

searching the target datastore for the password associated with the identification, wherein upon the determination that there is no password in the target datastore associated with the identification: (e.g. col 11 ln 44-55, col 11 ln 25-67)

allowing the original intercepted request to go through to the source user authenticator, (col 11 ln 25-67)

using the source user authenticator to prompt for and receive the identification and a password from the user, (col 11 ln 25-67)

capturing the password provided by the user in response to the source authenticator prompting and using the captured password as the received password, col 11 ln 44-55

monitoring the source user authenticator for an approval response, (col 8 ln 1-10, col 9 ln 34-67)

populating the target datastore with the received password upon receipt by the target datastore of an approval response from the source user authenticator, and (col 9 ln 34-67)

associating the received password with the corresponding identification. (col 7 ln 17-35).

18. It would be obvious to one of ordinary skill in the art to combine Sampson and Blakely since both are in the same field in order to facilitate the use of data during the migration phase of the data transfer.

19. Claims 17-18 and 23-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sampson et al (US 6,429,624) in view of Blakley, III et al (US 5,832,211) further in view of Mehring et al (US 6,609,115).

20. Regarding claim 17 and 23:

21. Blakley discloses the claimed invention except for the receiving a password in a submission from the user after the initial submission of the identification from the user. However, Blakley does disclose the use of a password and a corresponding unique

account identification number. Col. 7, lines 15-20. Mehring teaches that it is known in the art to provide a receiving a password in a submission from the user after the initial submission of the identification from the user. Col. 10, lines 60-67. It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the password/unique identification element of Blakley with the receiving a password in a submission from the user after the initial submission of the identification from the user of Mehring, in order to increase the security in accessing data. Further, It would have been obvious to modify the teachings of Blakley, to provide the step of receiving a password in a submission from the user after the initial submission of the identification from the user.

22. Regarding claims 18 and 24 –

23. Blakley discloses the claimed invention, as discussed above, except for the step of prompting for and receiving the identification and a password from the user after the initial submission of the identification from the user. It would have been an obvious to modify the teachings of Blakley to provide the step of prompting for and receiving the identification and a password from the user after the initial submission of the identification from the user.

24. Since the applicant has not disclosed that prompting for and receiving the identification and a password from the user after the initial submission of the identification from the user solves any stated problem in a new or unexpected way or is for any particular purpose which is unobvious to one of ordinary skill and it appears that the claimed feature does not distinguish the invention over similar features in the prior art since, the teachings of Blakley will perform the invention as claimed by the applicant with any means, method,

25. or product to prompting for and receiving the identification and a password from the user after the initial submission of the identification from the user.

26. It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide Sampson with the security method of Blakley with wherein the action of prompting for and receiving the identification and a password from the user after the initial submission of the identification from the user occurs after determining that the target data store does not include a password associated with the identification; and, wherein the action further comprises using the source user authenticator to prompt for and receive the identification and a password from the user after the initial submission of the identification from the user of Mehring, in order to authenticate the user requesting the data.

27. Examiner's Note: Examiner has cited particular columns and line numbers in the references as applied to the claims below for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant, in preparing the responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

### **Conclusion**

28. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.



29. Leah et al. US 6,986,038 131 TECHNIQUE FOR SYNCHORNIZING SECURITY CREDENTIALS FROM A MASTER DIRECTORY, PLATFORM, OR REGISTRY. Discloses prompting of the user.
30. Lemon US 7,016,953 discloses an HTTP transaction monitor including a servlet that intercepts HTTP requests.
31. Any inquiry concerning this communication or earlier communications from the examiner should be directed to CRISTINA OWEN SHERR whose telephone number is (571)272-6711. The examiner can normally be reached on 8:30-5:00 Monday through Friday.
32. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Calvin L. Hewitt, II can be reached on (571)272-6709. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

33. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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